

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR MAY 10, 2006  
CITY HALL COUNCIL CHAMBERS 7:00 P.M.  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035  
(408) 586-3279**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. PUBLIC FORUM**

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Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

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**IV. APPROVAL OF MINUTES:** April 26, 2006

**V. ANNOUNCEMENTS**

**VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**

**VII. APPROVAL OF THE AGENDA**

**VIII. CONSENT CALENDAR (Items with an asterisk \*)**

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At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

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**IX. PUBLIC HEARING**

1. **"S" ZONE APPROVAL NO. SZ2005-12** (*Continued from April 12, 2006*): A request to construct a 5,994 square foot single-story residence, detached second unit, and various landscape amenities including a covered patio and in ground pool and spa on an undeveloped parcel located at 1000 Piedmont Road (APN: 088-44-099), zoned R1-H, Single-Family Hillside. Applicant John Ha. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 3197) (*Recommendation: Approve with Conditions to City Council*)
2. **"S" ZONE APPROVAL NO. SZ2006-4 AND USE PERMIT NO. UP2006-5**: A request for approval of Site and Architectural review to change the following: 1) the exterior of the two approved Fairfield Residential LLC buildings, 2) decrease the number of dwelling units from 481 units to 464 units, 3) increase the number of stories for the west building from four to five and 4) increase the number of stories of the parking garage from six to seven. Also, a request for a Use Permit that would allow an exception to the Zoning Ordinance for development standards to allow the parking garage to have seven rather than six levels/stories (APN: 086-12-015, 016, 021), zoned R4-TOD (Multi-Family, Very High Density with Transit Oriented Development Overlay). Applicant: D.R. Horton, c/o Dean Mills. Staff Contact: Dennis Carrington, (408) 586-3275. (PJ# 3178) (*Recommendation: Approve with Conditions*)

- \* 3. **USE PERMIT NO. UP2006-7:** A request to locate a doublewide sales trailer and associated landscaping and parking along the vacated Capital Avenue at South Abel Street (APN: 086-12-015, 016, 021), zoned R4-TOD (Multi-Family, Very High Density with Transit Oriented Development Overlay). Applicant: D.R. Horton, c/o Dean Mills. Staff Contact: Dennis Carrington, (408) 586-3275. (PJ# 2451) (*Recommendation: Approve with Conditions*)
- \* 4. **USE PERMIT NO. UP2006-10:** A request to locate a double-wide sales trailer and associated landscaping and parking at 1696 South Main Street between the Shell Gasoline Station and Jack-in-the-Box (APN: 086-34-017, 019, 020), zoned R4 (Multi-Family, Very High Density). Applicant: D.R. Horton, c/o Preston Gaines. Staff Contact: Dennis Carrington, (408) 586-3275. (PJ# 2456) (*Recommendation: Approve with Conditions*)

## **X. PRESENTATION**

- 5. **ANNUAL REVIEW OF GENERAL PLAN HOUSING ELEMENT IMPLEMENTATION:** Felix Reliford, Principal Housing Planner, will provide a review of the General Plan Housing Element Policies. Staff Contact: Felix Reliford, (408) 586-3071. (*Recommendation: Note Receipt and File*)

## **XI. ADJOURNMENT**

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Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

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### ***THE NEXT PLANNING COMMISSION MEETING IS May 24, 2006***

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The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

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#### **MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of two members (currently Cliff Williams-regular member, Alex Galang-regular member, Noella Tabladillo-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas Building Conference Room First Floor, 455 E. Calaveras Boulevard.

- a. **"S" ZONE APPROVAL AMENDMENT NO. SA2006-17:** A request to construct a 270 square foot room addition to a home located at 321 Moretti Lane (APN: 029-12-099), zoned R1-3, Single Family Residential 3,000 sq. ft. Lot with an "S" Zone overlay, PUD #42 (Kennedy Glen). Applicant: Modesto Sacmar Jr. Staff Contact: Dennis Carrington, (408) 586-3275. (*Recommendation: Approve with Conditions*)

**KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: [rpioroda@ci.milpitas.ca.gov](mailto:rpioroda@ci.milpitas.ca.gov)

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) Select Open Government Ordinance under News Features